

SUBJECT

Case against A. Ettinger, Jewish Subject
in Mixed Court.

Names connected.

Leon Hayer Rumanian

Mrs Litvak, Russian.

Mr. Rothman, British.

Max Kindler.

Nielsen, German.

A. [Name] age 35 years.

before Mr. Grant Jones and Mr. Wong.

C. I. D.
E. O. 12811
12/14
147/104

Charged for Committing an act against the neutrality of China, and 2 Attempting to forge a passport purporting to be issued by the Spanish Consul General at Shanghai.

The prisoner is charged for that he did on the 31 May 1917 unlawfully commit an act against the neutrality declared by the country of China during a Foreign War. Contrary to Art. 128 of the Chinese Provisional Criminal Code and further for that he on an unknown date prior to the 31 May 1917 did unlawfully attempt to forge a public document to wit a Passport purporting to be issued by His Spanish Majesty's Consul General at Shanghai. Contrary to Art. 239 & 250 of the Chinese Provisional Criminal Code.

The evidence for the prosecution was brief and simple. Detective Sergeant Schmidt told us that he found accused in the Public Gardens at 11 a.m. on Thursday May 31st and requested him, as a suspected person, to come to the police station. The officer was acting under instructions issued in consequence of a decision of this Court in another case to take jurisdiction over Turkish subjects and persons in their employ. At the station accused was searched and a photograph of a Spanish passport found on him. The passport in question is in blank, it purports to be signed by the former Spanish Consul, and it bears upon it the photograph of the German subject Nielsen whose name was brought to the notice of this Court some time ago in connection with an attempt by German agents to smuggle arms into India with a view to promoting rebellion in that country. The Chancellor of the Spanish Consulate told us that the photograph was like one of their passports, that all passports were issued by him and not by the Consul, that they did not keep blank forms signed by the Consul in advance, and that the signature at any rate must, therefore, be a forgery.

C. L. D.
1266
1/27/19

The defence was, I think, on obvious lines. It was that accused is the victim of a British plot, and it was suggested that British Authorities were at the back of it. No tittle of evidence has been produced in support of the latter allegation. What undoubtedly happened was this. The passport or passports had originally been forged by an Austrian named Kindler. Kindler then in the manner of his tribe, betrayed through Rothman his own work to the British Authorities, furnishing them with a specimen which it was intended should be used by Neilsen for some nefarious project, and of which photographic copies were naturally taken for distribution. Rothamm, who had apparently amused himself for some time with various persons of Ettinger's stamp and occupation, gave Ettinger and Huntze copies, which had now lost all value, possibly for a consideration, in order that they might take those copies to the rump staff of the former German Consulate General, which now functions in another place, as evidence of his authorities. Such being the prisoner's purpose, we are of the opinion that his action does not constitute an offence under either of the Articles charged.

Shanghai Municipal Police.

FILED

Central

Station.

22nd. June

1917.

REPORT ON Max Kindler

Made by D.S. Hemingway

Forwarded by

The Chief Detective Inspector.

Sir,

I beg to report having escorted Max Kindler today as follows:

9 a.m. from Hotel de France to Crown Advocate's office.

12.20 p.m. returned to Hotel.

2 p.m. From Hotel de France to Crown Advocate's office.

6 p.m. returned to Hotel.

Kindler completed his evidence against Rothman at the British Police Court this afternoon & will not be required again for some days.

Yours obediently,

B. Hemingway

D.S. 152.

S. I. D.
I. C. 274
12/14

Following is an extract from the "Deutsche Zeitung für China"
Dated June 14th 1917.

The Ettinger's Case.

The supprises of the Ettinger case have come to an end. If the local Police did not overstep their Limits, or if the Mixed Court has not the Jurisdiction over Turks, remains to be seen. The discharge of the Prisoner was expected. The common place remarks of the Assessor about the former Masters, who are outlawed now, should have been stopped by the Chinese Court, especially as there was not need for them. But the Assessor had to beat a retreat, a careful retreat, so as not to expose himself, of course nothing else was expected from the English Assessor in these circumstances. But the attention of the Public and the Chinese Authorities were drawn to the existence of the British "Intelligence Bureau, the Assessor called same the "Shipping Office" But this suprise might be a benefit for the Universe and for the Chinese community.

OSP
15.6.
P.L.A.
To see & return to C.D.I.
ASH.
15.6.

Shanghai Municipal Police.

FILED
9

Central

Station.

12th. June

1917.

REPORT ON Max Kindler

Made by D.S. Hemingway

Forwarded by

The Chief Detective Inspector

Sir,

I beg to report having escorted Max Kindler from the Hotel de France to the Crown Advocate's office at 8.45 a.m. today, returning to the Hotel with him at 12 noon.

Kindler will not be required by the Crown Advocate again for some days, owing to a further adjournment in the case against Rothman at the British Police Court.

Yours obediently,

B. Hemingway

D.S. 152.

Memorandum.

C. 100 D
I. O. REG
No. 1214
Date 12/6/17

FROM THE POLICE FORCE,
MUNICIPAL COUNCIL,
Hongkew STATION,

To Chief Detective Inspector.

Shanghai, June 12th 1917

Sir,

The Ettinger's case is not criticized and there is nothing
of importance to translate, [&] except that the Paper adds, that

? Kindler has left Shanghai for Vladivostok last Friday.

I am Sir,

Your obedient servant

H. J. L. D.S.113.

ASH
12/6
6

C. I. D.
1274
12/11/17

Shanghai Municipal Police.

Central

Station.

11th. June

1917.

REPORT ON Max Kindler.Made by D.S. Hemingway

Forwarded by

The Chief Detective Inspector.

Sir,

I beg to report having escorted Max Kindler between the Hotel de France & the office of the Crown Advocate today, as follows:

8.40 a.m. from Hotel to Crown Advocate's office.

12.15 p.m. returned to Hotel.

1.50 p.m. from Hotel to Crown Advocate's office.

4.20 p.m. returned to Hotel.

Kindler informed me that Mr. Rudinger had left for Canada today on the R.M.S. "Empress of Asia".

The former will be again escorted to the Crown Advocate's office at 9.00 a.m. tomorrow the 12th. inst:

Yours obediently,

B. Hemingway

D.S. 152.

Shanghai Municipal Police.

No. 1214
Date 11/6/17

Central

Station.

10th. June 1917.

REPORT ON Max Kindler.

Made by D.S. Hemingway

Forwarded by

The Chief Detective Inspector

Sir,

I beg to report having escorted Max Kindler from the Hotel de France to the Crown Advocate's Office at 9.30 a.m. today, returning with him to the Hotel at 10.30 a.m.

He will again be escorted to the Crown Advocate's Office at 9.00 a.m. tomorrow the 11th inst:

Yours obediently,

D.S. Hemingway

D.S. 152.

Memorandum.1214
FILED

FROM THE POLICE FORCE,
MUNICIPAL COUNCIL,
Hongkew STATION,

To Chief Detective Inspector.

Shanghai. June 9th 1917

Sir,

Nothing of importance to translate from the "Ettinger Case" in to-night's issue, the Court proceedings are not criticized. The German report in to-day's issue is the same, as the report in to-night's "Mercury", the only difference is, that the Mercury gives fuller particulars.

I am Sir,
Your obedient servant

H. J. Smith D.S.113.

Shanghai Municipal Police.

FILED
1274
11/6/17

Central

Station.

9th. June

1917.

REPORT ON Max Kindler.Made by **D.S. Hemingway**

Forwarded by

The Chief Detective Inspector

Sir,

I beg to report that in accordance with instructions, I escorted Max Kindler from the Hotel de France to the office of the Crown Advocate at 2.30 p.m. today, returning to the Hotel with him at 6.30 p.m. Kindler will again be required at the Crown Advocates office tomorrow the 10th. inst: when he will be escorted in the usual manner.

Yours obediently,



D.S.152.

~~CONFIDENTIAL~~

Shanghai Municipal Police.

C. I. D.
I. O. 220
12/16
No. 9/16/17
Date

Central

Station.

FILED

8th. June

1917

REPORT ON Max KindlerMade by D.S. Hemingway

Forwarded by

The Chief Detective Inspector

Sir,

I beg to report that in accordance with instructions, I escorted Max Kindler between the Hotel de France & the office of the Crown Advocate, today as follows:-

8.45 a.m. from Hotel to Crown Advocate's office.

12.45 p.m. returned to Hotel.

1.45 p.m. from Hotel to Crown Advocate's office.

6.00 p.m. returned to Hotel.

Whilst at the Hotel at 8.45 a.m. I met Mr. St. Pierre Rudinger who informed me that he had arrived in Shanghai last night from Singapore, where he had been employed in the Consulate & also assisting the Public Prosecutor.

I was informed by Kindler that when he was making his statement in the Crown Advocate's office this afternoon, Mr. Grant Jones & the P.L.A. were also present.

Kindler will be required at the Crown Advocate's office at 2.00 p.m. tomorrow the 9th. inst. when I shall again escort him.

Yours obediently,

B. Hemingway

D.S. 182.

No. 1214
Date 9/6/17

The "British Intelligence Bureau".

In the yesterday's proceedings, in the Ettinger's case at the Mixed Court, the attention of the Chinese Authorities were drawn to the British Intelligence Bureau, No.3 Kiukiang Road. At the request of the Chinese Authorities, Rottman who's name had been mentioned in connection with the Ettinger's case, was arrested by the International Police last night on a British Consular Warrant, and locked up at Hongkew Station. He was taken to the British Police Court this morning, where the trial was conducted in "Camera". Rottman is detained in Police custody.

Q. 1

Shanghai Municipal Police

C. I. B.
I. C. REG
12/14
26/6/17

Hongkew

Station.

June 2nd

1917

REPORT ON Rumanian subject Leon Lazor and Turkish subject

A. Ettinguer.

Made by D.S.I. Reeves.

Forwarded by Chief Detective Inspector

Sir,

As regards the Rumanian subject Leon Lazor; on being brought before the Mixed Court, the complainant Mrs Litvak a Russian subject denied that prisoner obtained ~~***~~ \$100.00 from her and further informed the Court that she had made no complaint to D.S.Schmidt, and that she did not know the nature of the contents of the parcels she was carrying. There was therefore no evidence which could convict the prisoner and the case was dismissed. The conduct of Mrs Litvak will be brought to the notice of the Russian Consul.

As regards "Ettinguer" I wish to report on the following facts for the information of the Captain Superintendent and the Police Legal Adviser. After Ettinguer had been first brought to the Station by D.S.Schmidt and the documents taken from him and he had been allowed to go, Mr Rothman came into the Charge Room and informed me that he wished to explain certain documents which he said had been taken from the man arrested. He of course meant Ettinguer. The paper with a whole string of questions on he said was his and that he had given same to Ettinguer for him to answer so that he could make up a chain of evidence to submit to the French Consul for the purpose of having a man named Farnamento prosecuted and his registration at the French Consulate cancelled. The questions on the paper were as regards Farnamento. I asked him about the photograph of the passport and he informed me that Ettinguer was a fool to have had such a document in his possession, and that the reason Ettinguer had it in his possession was for the purpose of, at some time fixing

See Central Registry File No. 4217.

Shanghai Municipal Police.

Station.

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REPORT ON

Made by

Forwarded by

Dr Kindler who was the man who had prepared the passport. Mr Rothman then asked me to come to his house at 2.30 P.M. and he would show me certain documents which he had prepared. At 2.30 P.M. D.S.Schmidt and I called on Rothman and he showed us duplicate copies of the questions which had been found in Ettinguer's possession, and also a number of Photographs of undersirables in Shanghai amongst which was one of Nielson exactly the same as the one on the photograph of the Spanish Passport which has been found in possession of Ettinguer. After leaving Rothman's house we searched the Settlement for Ettinguer and he was finally brought in by D.S.Schmidt at about 6.45 P.M. Rothman also came to the Station at the same time, and it was Rothman who informed Schmidt where Ettinguer was. When Ettinguer was brought in I had him in my office and asked him if he had any more of these photographs of the passport in his home. I informed him that we were going to search his home, and he replied that he would not accompany us there unless a representative from the Dutch Consulate was present also. I informed him that such a thing was not going to be considered and he thereupon said that he would not accompany us to the house. I then telephoned to the P.L.A. and he informed me that we would have to obtain a warrant from the Mixed Court. I then talked Ettinguer over and he then said he would accompany us if some friend of his would be in the house and see that we did not place any documents there. I agreed to this and Ettinguer accompanied us to his house. On arriving there he called his wife and another man, and we searched all the premises, going

Shanghai Municipal Police.

Station.

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REPORT ON

Made by

Forwarded by

through a large quantity of papers he had accumulated for years. We found nothing which would aid the prosecution. On going to the upper floor we found the safe open and empty. On completing the search we intimated to Ettinguer that we were ready to take him back to the Station. He said that he would not leave his house unless we could show him some document authorising his arrest and on what ground he was arrested. We informed him that he was already under arrest when he was brought into the Station, and that the fact was conveyed to him at the time. He then said he would not go and wished to wait until some person from the Dutch Consulate came to the house. We told him in plain language that this was not possible and D.S. Schmidt and I took an arm each to lead him away. He then flung himself on his bed and his wife laid on top of him and commenced screaming. It was almost impossible to move him without doing her some injury. Things in this way continued for some time and then Rothman came in and spoke to Ettinguer in Yiddish. We were still struggling with the two of them and we ultimately got him off the bed on to the floor. His wife was still clinging to him and screaming and we dragged them to the staircase, and after considerable difficulty got them down stairs, several banister supports being broken by Ettinguer clinging to them on the way down. We ultimately got him to the dining room where I winded him and he gave in and told Rothman he would go quietly. His clothes were torn in the struggle and he lost a ring from his finger. He then went quietly to the Station. Before this happened and on the way from the Station to his house to conduct this search he told

Shanghai Municipal Police.

1214
26/6/17

Station.

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REPORT ON

Made by

Forwarded by

me that Nielson did not know that his photograph was on the passport, and that if we wanted to know anything he said that the original passport of which he had the photograph copy, was supplied to Captain Seigne at his request, and for which \$300.00 had ~~ben~~ paid by Captain Seigne to a certain party, and he also informed me that copies had been forwarded by Capt. Seigne to various British ports. He also said that he would call Capt. Seigne to give evidence to this effect at the Mixed Court. During the search in his house he said that Dr. Kindler was the man we should get after and that he was a big enemy of his and he was the man who forged the Passports. He would not explain why he had a copy of the photograph in his possession, but during the struggle we had with him on the bed, Rothman told Ettinguer that he would go to Court and explain about the photograph. There may be a lot about the way Ettinguer was treated in the German papers, but no more force that necessary was used in getting him downstairs and the whole business was entirely his own fault.

I am Sir,

Your obedient servant.

Harry W. Reeves.
D.S.I.

P.L. a

To see

Reeves

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1214
26/6/17

Following is an extract from the "Deutsche Zeitung fur China, dated June 1st 1917.

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The English Police-Knout.

We fight for Liberty and Justice said the English Consul-General at his speech on Empire day. Where could there be a better opportunity for our Enemies to show us poor savages their beautiful principles, as here in Shanghai. " Might before Right " should really be the Motto for the International Settlement. As to the ignominious conditions in the Shanghai Administration show a new incident. The Turkish subject Albert Ettinger, who long before the War had been a Protegee in the German Consulate, and after the rupture of diplomatic relations with China is under the protection of the Netherlands Consulate, was arrested yesterday evening by two local Police Officers. Sub⁴inspector Reeves and the notorious Detective Schmidt, apparently with the assistance of a man named Rottman, arrested Ettinger at his home 30d Nanzing Road. Not withstanding all his protests, he was taken in Police custody by use of most brutal force. His premises were searched in a impudent way, and all his papers confiscated. All-ready yesterday morning Schmidt had taken Ettinger to the Police Station for the purpose of searching his person. In spite of his many demands to see the Warrant and to let him know the cause of his arrest, the Officers only ignored him. Communication with the Netherlands Consulate was also refused. The Officers even went so far as to threaten him, to be sent to Hongkong for trial. His questions on who's Authority he was arrested, he was answered the "Higher Authority". The Higher Authority could be nobody else except Mr. Pearce the Chairman of the Council, the same man who had to beat such ^a shameful retreat in the last Libel case.

(continued -

1214
26/6/17

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Ettinger was taken to the Mixed Court this morning. What he is charged with, is not yet clear, as the case was not gone into particulars, merely a argument arouse over the Jurisdiction between Dr.Fischer and the Court. At the request of Dr.Fischer the case was remanded till Monday next. Allthough the Police has no Warrant, he is kept in custody to wait there for futher developments.

It shows it is a most brutal act. We see the liberty with which the World will be blessed, if the War results in a English Victory. The English Police-Knout.

PLA
—
Hans
47



POLICE FORCE,
(DETECTIVE BRANCH.)

1214
2601
Shanghai Municipal Council.

May 31st

1917

Sir,

Det. Sergt. Schmidt reports that at about 11 a.m. on May 31st he saw Ettinger in the Public Gardens together with a man named Lazar.

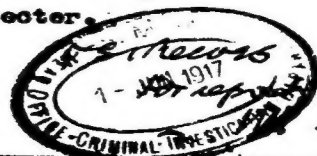
He took them to the Station where he searched Ettinger and found on his person a document and the photograph of a passport which are attached.

A Russian woman named Litvak who lives at the Alhambra Bar on W.Szechuen Road has made a complaint to the effect that Lazar on May 29th searched her at the Shanghai Hanking Railway Station and took from her sixteen cakes of opium. He demanded \$100.00 on threat of denouncing her which she gave him and which she kept together with the opium.

Your Obedient Servant,

William Armstrong
Chief Detective Inspector.

Captain Superintendent of Police.



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